

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)  
Denise Carlon, Esquire  
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Attorneys for Secured Creditor  
U.S. Bank Trust National Association, not in its  
individual capacity, but solely as trustee of Citigroup  
Mortgage Loan Trust 2019-E

In Re:  
Nicholas J. Malcolm,  
  
Debtor.



Order Filed on October 4, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 18-22690 MBK

Adv. No.:

Hearing Date: 8/24/2022 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: October 4, 2022**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

(Page 2)

Debtor: Nicholas J. Malcolm

Case No: 18-22690 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. Bank Trust National Association, not in its individual capacity, but solely as trustee of Citigroup Mortgage Loan Trust 2019-E, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 39 Maitland Road, Yardville, NJ, 08620, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Stacey L. Mullen, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of September 15, 2022 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due July 2022 through September 2022 for a total post-petition default of \$8,111.53 (3 @ \$2,820.08, less suspense \$348.71); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$8,111.53 will be paid by Debtor remitting \$1,351.92 for per month for five months and \$1,351.93 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on October 1, 2022 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume October 16, 2022, directly to Secured Creditor's servicer, Fay Servicing, LLC, PO Box 814609, Dallas, TX 75381-4609 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$538.00, which is to be paid through Debtors' Chapter 13 plan and motion for relief is hereby resolved.

In re:  
Nicholas J. Malcolm, Jr.  
Debtor

Case No. 18-22690-MBK  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Oct 04, 2022

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 06, 2022:

Recip ID	Recipient Name and Address
db	+ Nicholas J. Malcolm, Jr., 39 Maitland Road, Yardville, NJ 08620-1014

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 06, 2022

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 4, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity, but solely as trustee of Citigroup Mortgage Loan Trust 2019-E dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Melissa N. Licker	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity, but solely as trustee of Citigroup Mortgage Loan Trust 2019-E mlicker@hillwallack.com, HWBKnewyork@ecf.courtdrive.com
Phillip Andrew Raymond	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity, but solely as trustee of Citigroup Mortgage Loan Trust 2019-E phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com

District/off: 0312-3

User: admin

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Date Rcvd: Oct 04, 2022

Form ID: pdf903

Total Noticed: 1

Sindi Mncina

on behalf of Creditor U.S. BANK TRUST N.A., AS TRUSTEE FOR LSF10 MASTER PARTICIPATION TRUST  
smncina@raslg.com

Stacey L. Mullen

on behalf of Debtor Nicholas J. Malcolm Jr. slmullen@comcast.net

Steven P. Kelly

on behalf of Creditor U.S. Bank Trust N.A., as Trustee for LSF10 Master Participation Trust skelly@sterneisenberg.com,  
bkecf@sterneisenberg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9